

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE, U.S. DEPARTMENT OF COMMERCE  
(REV. 07-2004)

ATTORNEY'S DOCKET NUMBER

## TRANSMITTAL LETTER TO THE UNITED STATES

PHCF-03037US

DESIGNATED/ELECTED OFFICE (DO/EO/US)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

10/519152

INTERNATIONAL APPLICATION NO.  
PCT/JP03/08173INTERNATIONAL FILING DATE  
June 26, 2003PRIORITY DATE CLAIMED  
June 28, 2002

## TITLE OF INVENTION

POROUS SUBSTRATE AND FABRICATION METHOD THEREFOR, AND GaN SERIES SEMICONDUCTOR  
LAYERED SUBSTRATE AND FABRICATION METHOD THEREFOR

## APPLICANT(S) FOR DO/EO/US

Masatomo SHIBATA, Yuichi OSHIMA, Takeshi ERI, Akira USUI, Haruo SUNAGAWA

Assignee Names: Hitachi Cable, Ltd., and NEC Corporation Assignee Residences: Tokyo, Japan

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (unexecuted)
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

4 sheets of Formal Drawings (Figures 1-5)  
Amendment Under Article 34, filed March 26, 2004  
Translation of Amendment Under Article 34

Form PCT/IB/308  
WO 2004/003266 (Cover Page)

U.S. APPLICATION NO. (known) 37 CFR 1.52 <div style="font-size: 2em; font-weight: bold; text-align: center;">10/519152</div>		INTERNATIONAL APPLICATION NO. PCT/JP03/08173		ATTORNEY'S DOCKET NUMBER PHCF-03037US	
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24. The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1110.00</li> <li><input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$1,000</li> <li><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00</li> <li><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$750.00</li> <li><input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00</li> </ul> <div style="text-align: right; font-weight: bold;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				<b>CALCULATIONS PTO USE ONLY</b>	
				\$1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	17 - 20 =	0	x \$50.00	\$0.00	
Independent claims	6 - 3 =	3	x \$200.00	\$600.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$1,730.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0.00	
Basic Nat'l Stage, Nat'l Stage Search, & Nat'l Stage Exam Fees = \$1,000.00				\$1,730.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	
TOTAL NATIONAL FEE =				\$1,730.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$1,730.00	
				Amount to be: refunded \$	
				charged \$	

  

a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,730.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0481</u> d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.	<div style="text-align: center;">             SIGNATURE         </div> <div style="text-align: center;"> <u>Sean M. McGinn, Esq.</u>            NAME         </div> <div style="text-align: center;"> <u>34,386</u>            REGISTRATION NUMBER         </div> <div style="text-align: center;"> <u>December 27, 2004</u>            DATE         </div>
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NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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34,386

December 27, 2004